

In re Patent Application of:
Adrian F. Ionescu

Application No.: 10/595,415

Confirmation No.: 8973

Filed: April 17, 2006

Art Unit: 2821

For: BALLAST PROTECTING DEVICE

Examiner: D. K. Wong

RESPONSE TO DECISION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Decision dated October 23, 2009 concerning the Declaration filed in this application.

In response to the request for a new Declaration, enclosed is a further Declaration by Andrei. E. Ionescu, the sole heir of the estate of his father, Adrian Florentine Ionescu, that states the citizenship of Adrian Florentine Ionescu, the deceased inventor.

It is therefore requested that the enclosed Declaration be accepted and that this application be deemed complete.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Director is hereby authorized to charge fee due with this paper to our Deposit Account No. 22-0185, under Order No. 22148-00004-US2.

Respectfully submitted,

Dated: December 4, 2009

By /Burton A. Amernick/

Burton A. Amernick

Registration No.: 24,852

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number 22148-00004-US2	
		First Named Inventor Adrian F. Ionescu	
		COMPLETE IF KNOWN	
		Application	10/595,415
		Filing Date	April 17, 2006
<input type="checkbox"/> Declaration Submitted With Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)		Art Unit	2821
		Examiner Name	D. K. Wong

I hereby declare that:

I believe the inventor named below to be the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

BALLAST PROTECTING DEVICE

(Title of the Invention)

the specification of which

☐ is attached hereto OR ☒ was filed on (MM/DD/YYYY) 10/18/2004 as United States Application Number or PCT International Application Number PCT/US2004/034097 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☐ No such provisional applications have been filed.

☒ Such provisional applications have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119	
		YES	NO
60/481,520	October 17, 2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application.

☒ no such U.S./PCT applications have been filed. ☐ such U.S./PCT applications have been filed as follows:

Application Number	Date of Filing	Status (published, pending, abandoned)

Direct all correspondence to: ☒ The address associated with Customer Number 90676 or ☐ Correspondence address below

Name _____

Address _____

City _____

Country _____ Zip 20006

County _____ State _____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF ROLE INVENTOR: ☒ A petition has been filed for this assigned inventor

Given Name (first and middle if any) Adrian Florentine Family Name or Surname Ionescu

Inventor's Signature Deceased Date _____

Residence City _____ State _____ Country _____ Citizenship United States

Mailing Address _____

City _____ State _____ Zip _____ Country _____

NAME OF SIGNATORY signing on behalf of Adrian P. Ionescu

Given Name (first and middle if any) Andrei E. Family Name or Surname Ionescu

Signature *Andrei E. Ionescu* Date 11/25/2009

Residence City _____ State IL Country United States Citizenship United States/Romania

Mailing Address (500 S. Byrne Rd. Apt. 2-D) _____

City Mount Prospect State IL Zip 60056 Country United States

Relationship to Inventor: Sole heir of the estate of Adrian Florentine Ionescu